

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
GIBSON, Peter

Application No.: 10/825,359

Confirmation No.: 8104

Filed: April 16, 2004

Art Unit: 3762

For: **IMPLANTABLE DEVICE HAVING
OSSEointegrating protuberances**

Examiner: HOLMES, Rex R.

RESPONSE AND AMENDMENT UNDER 37 C.F.R. §1.116

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed April 27, 2009, and the Notice of Non-Compliant Amendment mailed December 23, 2009, Applicant submits the following Amendments and Remarks. A Request for Continued Examination (RCE) was recently filed in response to this Office Action.

It is not believed that extension for time or fees for net addition of claims are required, beyond those which may otherwise be provided for in documents accompanying this paper. However, if additional extensions of time are necessary to allow consideration of this paper, then such extensions of time are hereby petitioned under 37 CFR §1.136(a), and any fees required therefore, including fees for net addition of claims, are hereby authorized to be charged to Deposit Account No. **22-0185, under Order No. 22409-00107-US**.

Amendments to the Claims begin on page 2 of this paper.

Remarks/Arguments begin on page 11 of this paper.